

WORKING TOWN BOARD MEETING

Town of Ulysses

April 22, 2014

Audio of the minutes is available on the website at ulysses.ny.us.

The meeting was held at the Ulysses Town Hall at 10 Elm Street, Trumansburg.

PRESENT:

Supervisor- Liz Thomas

Board members- Rich Goldman, John Hertzler, Nancy Zahler, Dave Kerness

Clerk- Carissa Parlato

Environmental Planner- Darby Kiley

Building Inspector/Code Enforcement- Alex Rachun

OTHERS PRESENT:

Kat Clement, Diane Hillmann

Notice of Town Board meetings are posted on the website and clerk's board.

Ms. Thomas called the meeting to order at 7 p.m.

GENERAL BUSINESS:

APPROVAL OF MEETING AGENDA

RESOLUTION 2014-96:

BE IT RESOLVED that the Ulysses Town Board approve the meeting agenda of April 22, 2014 with the additions of the healthcare resolution and a forum discussion under old business.

Moved: Ms. Thomas

Seconded: Mr. Kerness

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Kerness	aye
Mr. Goldman	aye
Mr. Hertzler	aye

Vote: 5-0

Date Adopted: 4/22/14

APPROVAL OF MINUTES: 4/2/14, 4/8/14

RESOLUTION 2014-97:

BE IT RESOLVED that the Ulysses Town Board approve the minutes for April 2 and April 8, 2014 as edited by Ms. Thomas and Ms. Zahler.

Moved: Ms. Thomas

Seconded: Mr. Kerness

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Kerness	aye
Mr. Goldman	aye
Mr. Hertzler	aye

Vote: 5-0

Date Adopted: 4/22/14

ANNOUNCEMENTS:

Ms. Thomas reported the following:

- Sales taxes were down 7% in February. This is the second month that they have declined. The board will need to be aware of this with regards to town revenues.

- The telephone company is wondering if we have a written right-of-way agreement with them as someone is interested in buying the building behind the Town Hall.
- Updates on water issues were sent out to board members today.
- A date has been set to get the Ag Committee started.

PRIVILEGE OF THE FLOOR:

Diane Hillmann is still interested in being a part of the water committee discussed at the last meeting.

REPORT ON CODE ENFORCEMENT - Alex Rachun

Mr. Rachun discussed some history of Jacksonville properties:

- Several of the substandard properties were sold at a tax sale and bought to be used as rentals.
- The community suffered from a gas spill many years ago. About 7 houses removed due to that and the community has not completely recovered.
- Most recently (2012) a number of houses were cited with violations.
- 2 buildings across from the gas station have no septic or services and are vacant. It is doubtful that anyone will ever buy them.
- Many properties do not get inspected very often, due to being 1-2 family dwellings. (State guidelines do not require inspections on these except in the case of a complaint or imminent danger. Other than that, only tenants and landlords can authorize an inspection). However, for multiple dwellings, the Town conducts code and fire inspections every three years.
- Even when properties have been cited and reach the point of condemnation, they remain eyesores.

The town ultimately needs to amend its zoning policies to help manage these properties. Mr. Rachun points out that these policies would be applicable to the whole town, not just Jacksonville.

Ideas for remediation include:

- Allowing the town to clean up the properties and levy the fees to the owner's taxes, but the town would risk losing that money if taxes go unpaid.
- Making town laws stricter.
- Looking at the City of Ithaca's laws.
- Exploring the Town of Groton's moratorium on multi-unit rental properties.

Ms. Thomas drew attention to the time, labor and cost that would come along with these changes.

Moving forward, the group agreed that:

- Ms. Zahler would look into low-income housing grants.
- It is important to distinguish between vacant/abandoned/substandard houses.
- It needs to be determined whether the town has funds to buy any of these properties.
- Mr. Goldman would learn more about INHS' program.
- They need to determine where properties are with regards to tax payments.
- They can see if Section 8 is able to advise potential residents on properties.
- They will set up another meeting that includes both Mr. Rachun and Ms. Geldenhuys (town attorney) to explore changes in the current policies.

MIXED USE OFFICE AND TECHNOLOGY:

The town is looking at re-zoning a section south of Van Dorn Corners Road as part of the comprehensive plan goals.

The Board of Zoning Appeals passed the following resolution on April 16, 2014:

Whereas, the Town of Ulysses Board of Zoning Appeals believes that the allowed land uses in the light industrial district are too restrictive for the property owners to earn a reasonable return; and

Therefore, we urge the Town Board to expand the allowable uses to include among others some residential use.

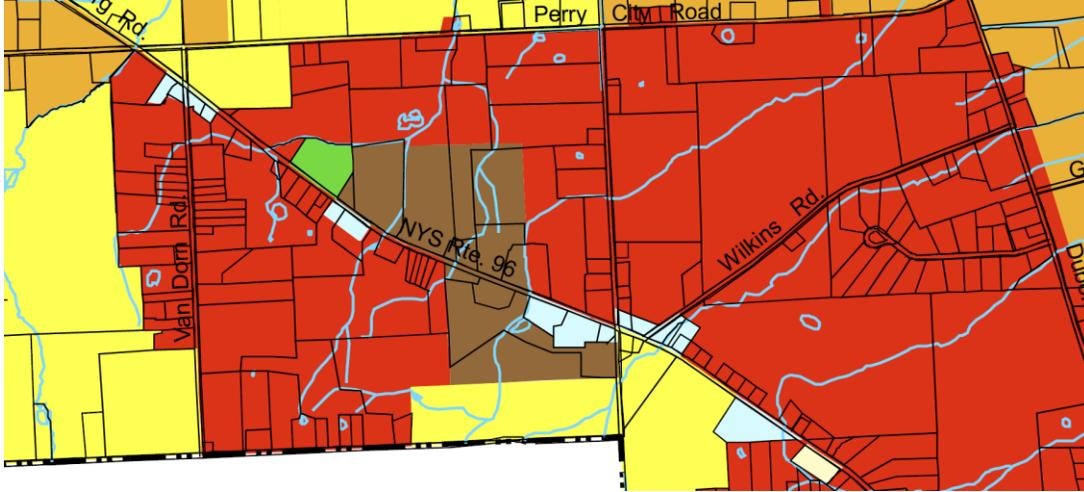
The vote was taken as follows:

Mr. Hillman AYE

Mr. Howarth	AYE
Mr. Mann	AYE
Mr. Tselekis	AYE

Motion Approved UNANIMOUSLY

Ms. Kiley presented a power point of the zoning map below. (Trumansburg Road from Town of Ithaca line to Van Dorn Road):



The group discussed the possibilities and agreed on the following resolution:

RESOLUTION 2014-98:

BE IT RESOLVED that the Town of Ulysses amend the zoning map to change 6-8 parcels from IL (Light Industrial) District to R2 (Moderate Density Residential) District according to the map shown at the April 22 meeting. And,

BE IT RESOLVED that local law language be developed to amend the zoning map, and FURTHER RESOLVED that the planning board be informed of the town board actions.

Moved: Mr. Kerness

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Kerness	aye
Mr. Goldman	aye
Mr. Hertzler	abstain

Vote: 4-1

Date Adopted: 4/22/14

INVENTORY OF HISTORIC BUILDINGS:

RESOLUTION 2014-99:

BE IT RESOLVED that the Ulysses Town Board approves joining with the Village of Trumansburg on a joint architectural and landmark survey of historic buildings in both the Village of Trumansburg and the Hamlet of Jacksonville; and

RESOLVED that the Town will contribute \$2,500 to this project upon its completion; and

RESOLVED that the Village of Trumansburg Planning Board Chair will oversee this project and ensure its completion by the end of 2014.

RESOLVED that the Town of Ulysses will be provided with a copy of the survey upon completion.

Moved: Ms. Thomas

Seconded: Mr. Hertzler

Ms. Thomas	aye
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Ms. Zahler aye
 Mr. Kerness aye
 Mr. Goldman aye
 Mr. Hertzler aye

Vote: 5-0

Date Adopted: 4/22/14

Discussion: A copy of the survey should also be shared with Town and Village Historians.

TOWN FORUM DISCUSSION:

Due to scheduling conflicts, the board decided to hold meet and greets and special topic meetings over the next few months, with an eye on the fall months for a forum.

RESOLUTION TO APPROVE THE 2014 AMENDMENT TO THE MUNICIPAL COOPERATIVE AGREEMENT FOR THE GREATER TOMPKINS COUNTY MUNICIPAL HEALTH INSURANCE CONSORTIUM:

RESOLUTION 2014-100:

WHEREAS, the Town of Ulysses is a Participant in the Greater Tompkins County Municipal Health Insurance Consortium (the "**Consortium**"), a municipal cooperative organized under Article 5-G of the New York General Municipal Law; and

WHEREAS, the municipal participants in the Consortium, including this body, have approved and executed a certain Municipal Cooperation Agreement (the "**Agreement**"), which provides for the operation and governance of the Consortium; and

WHEREAS, Article 47 of the New York Insurance Law (the "**Insurance Law**") and the rules and regulations of the New York State Superintendent of Insurance set forth certain requirements for governance of municipal cooperatives which offer self-insured municipal cooperative health insurance plans; and

WHEREAS, Section 4705(a)(8) of the Insurance Law provides the governing board of self-insured municipal cooperative must include representation of unions, which are the exclusive collective bargaining representatives of employees who covered by the plan offered by such self-insured municipal cooperative; and

WHEREAS, Section K of the Agreement currently in place provides for representation on the Consortium's Board of Directors (the "Board") by the Chair of the Joint Committee on Plan Structure and Design (as defined in the Agreement); and

WHEREAS, by resolution adopted on September 26, 2013, the Consortium's Board approved an amendment to the Agreement to (a) increase the number of labor representatives on the Board; and (b) provide for future increases to the number of labor representatives on the Board in the event number of participants in the Consortium increases, all as more fully set forth in the 2014 Amendment to the Municipal Cooperative Agreement attached hereto as Exhibit "A" (the "**2014 Amendment**"); and

WHEREAS, Section T of the Agreement requires that any change or amendment to the Agreement shall require the unanimous approval of the Participants, as authorized by their respective legislative bodies; and

WHEREAS, the Town of Ulysses has determined that it is in the best interest of its constituents who are served by the Consortium to amend the Agreement as set forth in the attached 2014 Amendment, now therefore be it

RESOLVED that the Council/Board of Trustees/Legislature of the Town of Ulysses approves the following:

Section 1. The 2014 Amendment to the Municipal Cooperative Agreement of the Greater Tompkins County Municipal Health Insurance Consortium attached to this Resolution is approved.

Section 2. The Town of Ulysses Clerk is hereby authorized to execute this Resolution to indicate its approval, deliver a copy thereof to the Board of the Greater Tompkins County Municipal Health Insurance Consortium, and take any other such actions as may be required by law.

Section 3. This Resolution shall take effect immediately.

"EXHIBIT A"

**2014 AMENDMENT TO THE MUNICIPAL COOPERATIVE AGREEMENT FOR
THE GREATER TOMPKINS COUNTY MUNICIPAL HEALTH INSURANCE
CONSORTIUM**

5. The Union Members on the Joint Committee on Plan Structure and Design shall select from among the Union Members an individual to serve as an additional at-large voting Labor Member on the Board of Directors of the Consortium. If the number of municipal members on the Consortium rises to seventeen (17), the union members of the Joint Committee on Plan Structure and Design shall select from among the Union Members an additional at-large voting Labor Member on the Board of Directors of the Consortium. The at-large voting Labor Member(s) along with the Joint Committee Chair shall collectively be the “Labor Representatives” as defined in Section C(11) of this Agreement. If the number of municipal members on the Consortium rises to twenty-three (23), the Union Members may select from among their members a third At-Large Labor Representative to serve as a Director. Thereafter, for every increase of five (5) additional municipal members added to the Consortium Union Members may select from among their members one (1) At-large Labor Representative to serve as Director. Attached hereto as Addendum “B” is a table illustrating the addition of At-Large Labor Representatives as set forth in this Section. Any At-Large Labor Representative designated according to this section shall have the same rights and obligations as all other Directors.

Moved: Mr. Goldman

Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Kerness	nay
Mr. Goldman	aye
Mr. Hertzler	aye

Vote: 4-1

Date Adopted: 4/22/14

OLD BUSINESS:

PERSONNEL POLICY UPDATE:

**RESOLUTION TO MODIFY THE CURRENT TOWN OF ULYSSES
PERSONNEL POLICY TO ADD A NEW TIER FOR THOSE EMPLOYEES
WORKING 30-34 HOURS/WEEK:**

RESOLUTION 2014-101:

WHEREAS, the Town of Ulysses wishes to modify its current Personnel Policy to more accurately reflect the variety of work schedules among its employees and to assure fair treatment of all of its employees, and

WHEREAS, the 2014 budget includes sufficient funds to provide health insurance for the proposed new tier of employment, now therefore be it

RESOLVED that the Town of Ulysses revise its current Personnel Policy to include a new Class B to the existing employment tiers and that Section 1.2 be amended as follows:

Definitions of Employees

The following definitions are to be used only and solely for interpreting the provisions of this policy. These definitions do not relate to any other rule, policy, or law.

Class “A” employees – any employee whose work entails 35 or more hours per week.

Full time elected officials are entitled to Class “A” benefits.

Class “B” employees - any employee whose work entails 30 or more hours and less than 35 hours.

Class “C” employees - any employee whose work entails 20 or more hours and less than 30 hours.

Class “D” employees – employees whose work entails less than 20 hours per week.

All employees under designation Class “D” shall not receive any of the following benefits: health insurance, sick or personal time, bereavement pay, and holiday pay.

FURTHER RESOLVED, employees in the newly created Class B be eligible to receive individual or family health insurance coverage at an employee contribution rate of 25% and,

RESOLVED, the implementation of the new Class B and coverage for any employees included in this Tier and the new contribution rate become effective May, 1, 2014, and

RESOLVED, the current Personnel Policy Section 1.2 be further amended as follows:

Elected Official – Elected positions should refer to the Association of Towns Handbook published for specific positions.

For the purposes of benefits described in the Employee Handbook, “Elected Official” refers to the following elected officials of the Town of Ulysses:

- Town Clerk (considered Class “A” exempt): A clerk, with the approval of the town board, may work less than full time and receive pro-rated health benefits.
- Superintendent of Highways (considered Class “A” exempt) A superintendent, with the approval of the town board, may work less than full time and receive pro-rated health benefits.
- Town Supervisor, (considered a Class “B” exempt) A supervisor, with the approval of the town board, may work fewer than 30 hours and receive pro-rated health benefits.
- Town Board Members (considered Class “D” exempt)
- Town Justices (considered Class “D” exempt)

AND FURTHER RESOLVED that **Section 5.3 Time Records** be amended as follows:

All employees shall turn in a time card by the end of the last day of the pay period. Salaried employees shall do the same stating time used for vacation, sick time, holiday or other time off to maintain accurate records of benefit time used. No pay or benefits will be issued without the presence of a time card with two signatures: the employee and the employee’s supervisor. Elected officials wishing to receive health insurance must maintain and submit an accurate, signed record of their time worked by the end of each pay period to the bookkeeper.

FURTHER RESOLVED, these amendments become effective May 1, 2014.

Moved: Ms. Zahler

Seconded: Mr. Hertzler

Ms. Thomas	abstain
Ms. Zahler	aye
Mr. Kerness	aye
Mr. Goldman	aye
Mr. Hertzler	aye

Vote: 4-1

Date Adopted: 4/22/14

NEW BUSINESS:

The board brainstormed some questions for the May 7 meeting Don Barber, Healthcare Consortium director:

- When will the new metal options be available?
- Will there be a plan for single parent/kids?
- What will the options be for retirees/will they offer supplemental?
- What is the plan for the upcoming “Cadillac tax”?
- How will they make the consortium more desirable than the ACA?

Ms. Zahler will be meeting with a Cornell student who can make some cost projections regarding health care for the town.

- Rate of retirement for staff
- New hire costs to replace retirees
- Raising salaries vs. benefits, factoring in social security, pension, etc.
- Cost per 1000 for property tax

RESOLUTION 2014-102:

RESOLVED that the Ulysses Town Board move into executive session for matters relating to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person.

Moved: Mr. Goldman

Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Kerness	aye
Mr. Goldman	aye
Mr. Hertzler	aye

Vote: 5-0

Date Adopted: 4/22/14

RESOLUTION 2014-103:

Resolved that the Ulysses Town Board return from executive session.

Moved: Ms. Zahler

Seconded: Mr. Kerness

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Kerness	aye
Mr. Goldman	aye
Mr. Hertzler	aye

Vote: 5-0

Date Adopted: 4/22/14

ADJOURN:

Ms. Thomas made a motion to adjourn the meeting at 10:51pm, seconded by Mr. Goldman.

Respectfully submitted
by Carissa Parlato
 5/5/14